



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/249,229	02/11/1999	GREGORY L. SLAUGHTER	SUN1P209/P36	9705

22434 7590 02/14/2003

BEYER WEAVER & THOMAS LLP  
P.O. BOX 778  
BERKELEY, CA 94704-0778

EXAMINER

HOANG, PHUONG N

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/249,229

Applicant(s)

SLAUGHTER ET AL.

Examiner

Phuong N. Hoang

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. Claims 1 – 20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

From the specification, on page 5, it is not clear what the applicant means by the wrapper 102 calling platform independent software. This contradicts the rest of the specification which says the wrapper calls platform dependent software.

2. Claims 1 – 20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claims 1, 10, and 17, applicant added the independent wrapper and argued that the reference does not teach this limitation. However, applicant did not give written description of what this means in the specification. The specification at best suggests the interface is independent, but the wrapper is not an independent wrapper; it is a dependent wrapper used to call the dependent/native methods as shown on page 5, page 6 lines 1 – 4, and page 7 lines 16 – 18.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 16 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention Douglas Kramer “The Java Platform A White Paper” page 16 - 17.

As to claim 1, Kramer teaches a software object (Fig. 2, page 17, the platform dependent part) comprising a platform dependent method (Fig. 2, page 17, platform-dependent part), a platform independent wrapper (adapter with porting interface, fig. 2 page 17) arranged to call the platform dependent method, wherein a platform independent object (platform independent part) accesses the platform dependent method by calling the wrapper. Kramer's wrapper is independent because it has independent interface.

As to claim 2, Kramer teaches the only operation performed by the wrapper is to act as an intermediary between the platform independent object and the native method (platform dependent) to facilitate calling the platform dependent native method from the platform independent object.

As to claim 3, Kramer teaches the software object is one of a plurality of software objects included in the computer system (there are many adapters associated platform dependent).

As to claim 4, Kramer teaches the platform dependent method is one of a plurality of platform dependent methods (there are many platform dependent part).

As to claim 5, Kramer teaches the wrapper is one of a plurality of wrappers (adapters) each being arranged to call an associated one of the plurality of platform dependent methods.

As to claim 6, Kramer teaches the first software object includes a first wrapper (adapter) and an associated first method designed to run on a first platform (O.S. and Java on a browser).

As to claim 7, Kramer teaches a second software object includes a second wrapper (adapter) and an associated second method designed to run on a second platform (O.S. and Java on desktop) that is different than the first platform.

As to claim 8, Kramer teaches the wrapper is a Java wrapper (Fig. 2, they are Java adapter).

As to claim 9, Kramer teaches the platform independent object is a Java device driver (it is Java platform independent object which has to device driver to communicate with the adapter).

As to claim 10, this is the method claim of claim 1. Refer to claim 1 for rejection. Further, Kramer teaches wrapper associated with the method.

It would have been obvious that Kramer teaches encapsulation object which includes wrapper associated with the method.

As to claim 11, see claim 2 above.

As to claim 12, see claim 4 and 5 above.

It would have been obvious that Kramer teaches encapsulation object is one of the encapsulation object which each includes a wrapper associated with a method.

As to claim 13, Kramer teaches first wrapper (fig. 2), and an associated first method (fig. 2) wherein the first method is designed to run on a first platform (Fig. 2, O.S. of Java on a browser).

It would have been obvious that Kramer teaches first encapsulation object containing first wrapper associated with first method.

As to claim 14, Kramer teaches second wrapper (fig. 2), and an associated second method (fig. 2) wherein the second method is designed to run on a second platform (O.S. of the Java on desktop) that is different than the first platform.

It would have been obvious that Kramer teaches second encapsulation object containing second wrapper associated with second method.

As to claim 15, (see fig. 1 above). Further, Kramer teaches the platform independent object accesses the first method by calling the first wrapper that, in turn, calls the first method (all the platform independent object can accesses the method through the wrapper).

As to claim 16, (see fig. 1 above). Further, Kramer teaches the platform independent object accesses the second method by calling the second wrapper

that, in turn, calls the second method (all the platform independent object can accesses the method through the wrapper).

4. Claims 17 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas Kramer "The Java Platform A White Paper" page 16 - 17, and in view of Dana Lynn Beatty, U.S. patent no. 6,134,616.

As to claim 17, this is the method claim of claim 1 above. See claim 1 for rejection.

Kramer does not teach the business card associated with the platform independent object, configuration data, encapsulation object pointer, system manager.

Beatty teaches a business card (HNS entry, col. 5, lines 35 - 60) associated with the platform independent object, the business card containing configuration data (col. 4, lines 44 – 67 to col. 5, lines 1 – 67) that includes an encapsulation object pointer that is used to identify the encapsulation object, retrieving the business card corresponding to the requesting object (col. 4, lines 44 – 67 to col. 5, lines 1 – 67) by the system manager (bus manager), instantiating the encapsulation object identified by the encapsulation object pointer (col. 4, lines 44 – 67 to col. 5, lines 1 – 67).

It would have been obvious to apply the teaching of Beatty to the Kramer's system because it provides a mechanism to manipulate all devices, retrieve the configuration data based on the business card to know the resource connection between the platform independent object and encapsulation object.

As to claim 18, Beatty teaches the business card is instantiated by a system administrator at system start up (one skilled in the art will understand that the system administration would configure at the system initiation).

It would have been obvious to apply the teaching of Beatty to the Kramer's system because it provides a mechanism to control all devices.

As to claim 19, Kramer teaches the platform independent object is a device driver (an object has a device driver to communicate), wherein the device driver is used to manage a device couple to the computer system (this is the functionality of device driver).

As to claim 20, Beatty teaches the system manager is a bus manager (col. 4, lines 44 – 67 to col. 5, lines 1 – 67) used to manage a bus couple to the device.

It would have been obvious to apply the teaching of Beatty to the Kramer's system because it provides a mechanism to control all devices and carry a request from the device driver to the specific wrapper.

### ***Response to Arguments***

5. Applicant's arguments filed on 02/11/99 have been fully considered but they are not persuasive.

The applicant argued the wrapper is the independent wrapper. As mentioned in 112 first paragraph above, the wrapper of Kramas is also independent wrapper which



used to call dependent methods, see p. 16 - 17. Kramer's wrapper is independent because it has independent interface (adapter with porting interface, fig. 2 page 17).

### ***Conclusion***

**6. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alvin Oberley can be reached on (703)305-9716. The fax phone numbers

Art Unit: 2126

for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7140.

ph  
February 10, 2003



ALVIN OBERLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100